

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's OfficeJUN 24 2008

Returned to applicant for correction

Corrected application filedMap filedMAR 06 1998under63632

The applicant Dayton Property Partners, LLC

2443 Fair Oaks Blvd, Suite 248 of Sacramento

California 95825, hereby make(s) application for permission to change the

☒ Point of diversion☒ Place of use☒ Manner of use☒ of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 21475, Certificate 6878

- The source of water is Underground
- The amount of water to be changed 0.0686 cfs, not to exceed 15 acre-feet annually
- The water to be used for Municipal & Domestic
- The water heretofore used for Irrigation & Domestic
- The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
SW ¼ NW ¼, Section 34, T.17N., R.22E., M.D.B. & M., or at a point from which the NW Corner of said Section 34 bears N. 21°45' 41" W., a distance of 1,903.12 feet (Refer to map filed under Permit 63632 for proposed point of diversion)
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
NW ¼ NE ¼, Section 9, T.16N., R.22E., M.D.B. & M., or at a point from which the N ¼ Corner of said Section 9, bears N. 44° 27' 30" W., a distance of 70 feet. (Refer to map filed under Permit 21475 for existing point of diversion)

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Please refer to Exhibit "A" and map filed under Application 74922 on file with the State Engineer's office.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

4 acres SW 1/4 SE 1/4 Section 4; 39 acres SE 1/4 SW 1/4 Section 4; 4 acres NW 1/4 NE 1/4 Section 9; 38 acres NE 1/4 NW 1/4 Section 9; 39 acres NW 1/4 NW 1/4 Section 9; all in T.16N., R.22E., M.D.B. & M. A total of 3.75 acres being removed from irrigation within the NW 1/4 NW 1/4 of Section 9, T.16N., R.22E., M.D.B. & M. as illustrated on the map accompanying this application. (1.25 acres from APN 16-292-08, 1.25 acres from APN 16-292-09, 1.25 acres from APN 16-292-10).

9. Proposed use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

A drilled and cased well equipped with a motor, pump, meter and municipal distribution system.

12. Estimated cost of works \$1,500,000.00

13. Estimated time required to construct works Two (2) years

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Ten (10) years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

This application is being filed to move water into the Lyon County municipal system in support of the Woodbridge Subdivision, a project approved by the Lyon County Board of Commissioners in September 2007. This development consists of 77 single family homes on 12,000 sf lots within the Dayton service area along Highway 50. Upon approval, the water rights will be dedicated to Lyon County for municipal service in accordance with Lyon County water dedication requirements and ordinances. The total combined duty of this application and application to change a portion of Permit 26110 (Cert. 8394) is not to exceed 72 acre-feet annually.

16. Miscellaneous remarks:

(775) 352-7800

Phone No.

gregb@tecreno.com

E-mail

By Gregory M. Bilyeu

Print or type name clearly

Signature, applicant or agent

TEC Civil Engineering Consultants

Company Name

9480 Double Diamond Parkway, Suite 200

Street Address or P.O. Box

Reno, NV 89521

City, State, Zip Code

***APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT***

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

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STATE ENGINEER'S OFFICE

Attachment "A"

Question #7 – Proposed Place of Use**T.16 N., R.20 E., M.D.B. & M.:**

All of Section 24; E½, those portions of NW¼ and SW¼ Section 25 lying within Lyon County, the portion of the NE¼ Section 36 lying within Lyon County.

T. 16 N., R. 21 E., M.D.B. & M.:

All of Section 1; SE¼ SE¼ Section 2; All of Section 11; All of Section 12; All of Section 13; All of Section 14; All of Section 19; All of Section 20; All of Section 23; All of Section 24; All of Section 26; All of Section 27; All of Section 28; All of Section 29; All of Section 30; N½, the portion of the S½ Section 31 lying within Lyon County; N½ Section 32; N½ Section 33; N½ Section 34; N½ Section 35.

T. 16 N., R. 22 E., M.D.B. & M.:

All of Section 3; All of Section 4; All of Section 5, All of Section 6; All of Section 7; All of Section 8; All of Section 9; N½ Section 16; All of Section 17; All of Section 18; All of Section 19; All of Section 20.

T. 17 N., R. 21 E., M.D.B. & M.:

SE¼, those portions of the SW¼, NW¼ and NE¼ Section 36 lying within Lyon County.

T. 17N., R. 22 E., M.D.B. & M.:

The portion of the S½ Section 21 lying within Lyon County; S½, the portion of the N½ Section 22 lying within Lyon County; All of Section 27; All of Section 28 lying within Lyon County; SE¼, those portions of the SW¼, NW¼, NE¼ Section 29 lying within Lyon County; the portion of the S½ Section 30 lying within Lyon County; S½, NE¼, the portion of the NW¼ Section 31 lying within Lyon County; All of Section 32; All of Section 33; All of Section 34; All of Section 35.

In addition to the above described Place of Use, it is the intent of these applications to provide water service to the entire Lyon County/Dayton Utilities service area as determined by the Lyon County Public Works Director. If in the future, some other entity is determined to have that authority, the Place of Use of this permit shall be pursuant to that authority's determination of the service area.